

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IL2005/000266

International filing date (day/month/year)
07.03.2005

Priority date (day/month/year)
07.03.2004

International Patent Classification (IPC) or both national classification and IPC
B23G9/00

Applicant
SHILO TECHNOLOGIES, LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IL2005/000266

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IL2005/000266

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	3-5,7-15
	No: Claims	1,2,6
Inventive step (IS)	Yes: Claims	3-5,8-15
	No: Claims	1,2,6,7
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IL2005/000266

Re Item V**Reasoned statement with regard to novelty, inventive step or industrial
applicability; citations and explanations supporting such statement**

1.1 Reference is made to the following documents:

D1: US 5060330 (Stahl), 29 October 1991

D2: GB 778807 (Bass), 10 July 1957

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claim 1 is not new in the sense of Article 33(2) PCT.

2.2 The document D1 discloses (notes and references in parentheses apply to this document):

A tool for the repair of damaged threads of screws comprising:

a body (2) having a projecting portion (right hand side of figure 1) for accommodating a screw (8) to be repaired and having two recessed major surfaces (4);

two blades (24, 24') having a rear end hingedly articulated to said body (2) and a front end (32) in the shape of a cutting face (36) substantially fitting the type of thread to be repaired;

means (16, 30, 28) to alter the distance between said cutting faces (36) and said projecting portion to accommodate screws (8) of different diameters, and

wherein the rear ends of said blades (24, 24') are configured in such a way that they are capable of serving as pivots (ie hole for pin 26), whereby said blades (24,24') are hingedly articulated (column 2, line 65) to said body (2).

2.3 The applicant should note that the expression "wherein the rear ends of said blades are configured in such a way that they are capable of serving as pivots" does not clearly differentiate the tool of the present application from the tool of document D1. The reasons for this are twofold:

a) The expression contains no physical features *per se*, since the expression attempts to define the features of the blade by the result to be achieved.

b) The blades of the tool of document D1 are configured in such a way that they are

capable of serving as pivots.

- 3.1 Dependent claims 1, 2, 6 and 7 do not contain any features which, together with the features of claim 1, to which they refer, meet the requirements of the PCT with respect to novelty and inventive step. The reasons therefor being as follows:
- 3.2 The subject-matter of claims 2 and 6 is disclosed in combination with the features of claim 1 by document D1. The subject matter of these claims is therefore not new (Article 33(1) PCT).
- 3.3 The features of dependent claim 7 have been employed for the purposes of increasing wear resistance in a similar tool which supports a rotatable workpiece, see document D2 (particularly page 2, lines 88-97; page 3, lines 4-6 and figure 2). It would therefore be obvious to the person skilled in the art to apply these features with corresponding effect to a tool according to document D1, thereby arriving at a tool according to claim 7.
- 4.1 The subject matter of claim 3 is neither disclosed, nor rendered obvious by, the available prior art in order to make the adjustment of the cutting blade easier. as an alternative, should the contents of the description, page 3, lines 13 to 16, be added to the present subject-matter of claim 1, the claim would be novel and involve an inventive step, since the problem of making the tool easier to assemble (see page 1, line 26 of the description of the current application) would be solved. The characterising part (see Rule 6.3(b) PCT) of such a claim could read "characterised in that said body (2) has substantially cylindrical recesses (30, 30') serving as bearings for the appropriately shaped ends of blades (6, 6')".